

III. REMARKS

The Examiner rejected claims 21, 23-25, 27, and 28 under 35 U.S.C. 103(a) as being unpatentable over Amano et al. (US 5,136,577) over Brennan (US 6,236,731).

As discussed in the response to the previous Office Action, Amano is completely different from the WOLA filterbank structure. Amano fails to disclose or suggest processing each sub-band signal from the WOLA analysis filterbank to remove a periodic acoustic shock event. Brennan also fails to disclose or suggest removing a periodic acoustic shock event. None of Amano and Brennan taken alone or in combination thereof suggests or teaches the subject matter defined by independent claims 21 and 25.

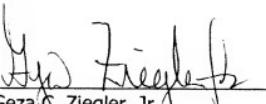
Nevertheless, to expedite the prosecution of this application, claims 21, 23-25, 27, and 28 have been cancelled without prejudice or disclaimer. No new matter has been introduced by way of the amendments made to the claims. Applicant respectfully requests reconsideration and withdrawal of the rejections.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

SERIAL NUMBER 10/815,891
RESPONSE TO OA MAILED 9/18/2008

The Commissioner is hereby authorized to charge any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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Date

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